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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Geert HEYSE et al.

Confirmation No.: 2076

Serial No.: 09/182,499

Art Unit: 2854

Filed: October 30, 1996

Examiner: Dan Colilla

For: REFILLABLE TAPE
CASSETTE

Attorney Docket No: 7310-268-999

Petition Under 37 CFR 1.181(a) Requesting Withdrawal of a Holding of Abandonment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PROGRAMS EXAMINER

Sir:

Applicants herewith request withdrawal of a holding of abandonment for the above-identified patent application, Application No. 09/182,499.

In this case, an Office Action was mailed by the U.S.P.T.O. on Oct 1, 1999, and the action contained 35 U.S.C. §102 rejections of claims 24-28, and 35 U.S.C. §103 rejections of claims 29-32, 35, 39-41, 44, and 46-47. The Office action acknowledged claims 33-34, 36-38, 42-43, and 45 had allowable subject matter.

Applicants filed an Amendment dated March 1, 2000, with an appropriate request for extension of time, amending claims 24, 26, 28, 30-35, 37-38, 43 and 46, adding new claims 50-52, and canceling claims 33, 36, 42-43, 45, and 47.

A first Response To Amendment, mailed on May 17, 2000, said that the prior response of March 1, 2000, was not responsive as it contained no argument of rejected claims.

Applicants filed a second Response dated June 19, 2000. In this response, Applicants again amended Claims 24, 26, 28, 30-35, 37-38, 43 and 46 (same amendments as previously submitted), and new claims 50-52 were again added (same claims as previously added). The 35 U.S.C. §102 and §103 rejection of claims over Umbach and over Umbach with Wolynski were addressed in a paragraph stating: "Umbach does not disclose means for selectively accommodate (*sp*) tape supplies of different tape width and the combination of Umbach and Wolynski do not teach or suggest the structure recite (*sp*) in claim 29, for

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example. The ribs which mate with the internal flange of the bobbin is not seen in this combination, for example.” A copy of this Response dated June 19, 2000 is attached.

A second Communication, mailed on Nov 16, 2000, stated the paper was late due to PTO error, as the PTO erroneously entered the previous response as a copy of the first response. This second Response to Amendment further stated that Applicants only provided statements of conclusion without supporting evidence. A Notice of Abandonment, mailed on August 15, 2001, stated the application was abandoned for failure to respond to the letter of Nov. 16, 2000.

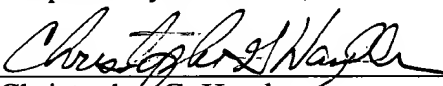
Applicants request that the Examiner accept the previous submission as adequate and withdraw the holding of abandonment. While the argument was admittedly sparse, Applicants addressed the rejections by pointing to claimed features, identifying both the feature and the claim, where said features were not taught or suggested in the prior art of record. An additional Supplemental Amendment is filed under separate cover which is believed to place the application in condition for allowance. Reconsideration and allowance is respectfully requested.

No fees are believed due for this submission. However, should any fees be required for any reason, however, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Please direct all further communications to the undersigned

Date: September 9, 2003

Respectfully submitted,

	44,750
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